

FACSIMILE TRANSMITTAL FORM	Application Number	09/820398
	Filing Date	March 28, 2001
	First Named Inventor	Yeung, Herbert Kam-Wah
	Art Unit	3627
	Examiner Name	Andrew Rudy
Fax: 703-872-9308	Attorney Docket Number	56380US002
Total Number of Pages in This Submission: 3		
Date: February 15, 2005		Attorney for Applicant: Colene H. Blank

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First Named Inventor: YEUNG, HERBERT KAM-WAH

Application No.: 09/820398

Group Art Unit: 3627

Filed: March 29, 2001

Examiner: Andrew Rudy

Title: SYSTEM AND METHOD FOR THIRD PARTY MANAGEMENT
OF PRODUCT MANUFACTURE ORDERING BY A SUB-END-
USER BASED UPON APPROVED PRODUCTS OF END-USERRESPONSE TO RESTRICTION REQUIREMENTCommissioner for Patents
P.O. Box 1450
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Feb. 15, 2005
DateShannon M. Bruce
Signed by: Shannon M. Bruce

Dear Sir:

This is in response to the Office Action mailed December 20, 2004. Claims 1-24 are pending. Claims 1-24 were restricted under 35 USC § 121 as follows:

- I. Claims 1-10 and 21 are said to be drawn to a system, classified in Class 235, subclass 383;
- II. Claims 11-20 are said to be drawn to a method for ordering a product, classified in Class 705, subclass 26;
- III. Claims 22-24 are said to be drawn to a network system, classified in Class 709, subclass 223.

Election

In response, Applicants elect Group I, with traverse.

Reconsideration and modification of the restriction requirement is respectfully requested.

Applicants submit that the Groups I and II and Groups I and III claims are so interrelated that a search of one group of claims will reveal art to the other. This argument is reinforced by the previous office action dated March 5, 2004, in which the Examiner reported on all claims in Groups

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I and II without a restriction requirement. Moreover, the classification of Groups I and II and Groups I and III claims in different classes and subclasses is not sufficient grounds to require restriction.

Were restriction to be effected between the claims in Groups I and II and Groups I and III, a separate examination of the claims in Groups I and II and Groups I and III would require substantial duplication of work on the part of the U.S. Patent and Trademark Office. Even though some additional consideration would be necessary, the scope of analysis of novelty of all the claims of Groups I and II and Groups I and III would have to be as rigorous as when only the claims of Group I were being considered by themselves. Clearly, this duplication of effort would not be warranted where these claims of different categories are so interrelated. Further, Applicants submit that for restriction to be effected between the claims in Groups I and II and Groups I and III, it would place an undue burden by requiring payment of separate filing fees for examination of the nonselected claims, as well as the added costs associated with prosecuting multiple applications and maintaining multiple patents.

Conclusion

Applicants have elected Group I. Continued prosecution of this application is respectfully requested.

It is believed that no fee is due; however, in the event a fee is required, please charge the fee to Deposit Account No. 13-3723. The Examiner is invited to contact the undersigned at the indicated telephone number with questions that can be resolved with a simple teleconference.

Respectfully submitted,

February 14, 2005
Date

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